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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/655,872	09/05/2003	James E. Bear	0492611-0512 (MIT9984)

CONFIRMATION NO. 7189

FORMALITIES LETTER



OC000000015214766

24280
CHOATE, HALL & STEWART LLP
EXCHANGE PLACE
53 STATE STREET
BOSTON, MA 02109

MSG Parts/Seq LST
Due 4.17.05
Final 8.17.05 BHT Final
9.17.05

Date Mailed: 02/17/2005

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Not of omitted Items
Docketed
Due 4.17.05
NON-EXT

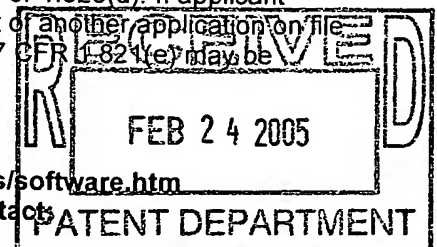
Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

To Download Patent Software, visit <http://www.uspto.gov/web/patents/software.htm>

For questions regarding compliance to these requirements, please contact



- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ ebc@uspto.gov

The following item(s) appear to have been **omitted** from the application:

- Figure(s) 1-5 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$400.00 petition fee (37 CFR 1.17(f))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$400.00 petition fee (37 CFR 1.17(f))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(f)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date being requested when submitting the omitted item(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b)**. In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required. A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents

P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.



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Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



ATTORNEY DOCKET NO.: 0492611-0512 (MIT 9984)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bear, et al. Examiner:
Serial No: 10/655,872 Art Unit: 1645
Filing Date: September 5, 2003
Title: Lentiviral Vectors, Related Reagents, and Methods of Use Thereof

MAIL STOP: MISSING PARTS
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TRANSMITTAL OF RESPONSE TO THE NOTICE TO FILE MISSING PARTS

In response to the Notice to File Missing Parts of Application mailed by the U.S. Patent and Trademark Office on February 17, 2005, enclosed herewith please find the following:

1. Response to Notice to File Missing Parts of Nonprovisional Application (1 page);
2. Copy of Notice to File Missing Parts of Nonprovisional Application (3 pages);
3. Petition for Extension of Time (1 page);
4. Executed Declarations (12 pages);
5. Executed Appointment of Attorney (1 page);
6. Executed Establishing Right of Assignee to Take Action (2 pages);
7. Amendment Introducing Sequence Listing (1 page);
8. Statement under 37 CFR §1.821 (1 page);
9. Paper copy of Sequence Listing (44 pages);
10. Computer-readable diskette copy of the Sequence Listing;
11. Check in the amount of \$65.00;
12. Check in the amount of \$510.00 for Extension of Time; and
13. Return Postcard

Additionally, please charge any further fees associated with this filing or apply any credits to our Deposit Account No. 03-1721.

Respectfully submitted,

Monica R. Gerber, M.D., Ph.D.
Reg. No. 46,724

Choate, Hall & Stewart LLP
Exchange Place
53 State Street
Boston, MA 02109
(617) 248-5000

Dated: July 15, 2005

3957578_1.DOC

Certificate of Mailing

I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

7-15-05 Signature

Date

Sandra Saccocia

Typed or Printed Name of person signing certificate



ATTORNEY DOCKET NO.: 0492611-0512 (MIT 9984)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bear, et al. Examiner:
Serial No: 10/655,872 Art Unit: 1645
Filing Date: September 5, 2003
Title: Lentiviral Vectors, Related Reagents, and Methods of Use Thereof

MAIL STOP: MISSING PARTS
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

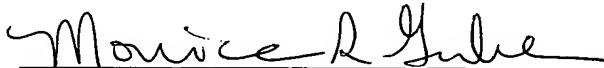
**RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION**

In response to the Notice to File Missing Parts of Nonprovisional Application mailed on February 17, 2005, enclosed herewith are Declarations executed by the inventors. The appropriate fee of 65.00 is included in the enclosed check.

A three (3) month extension of time, from April 17, 2005, to and including July 17, 2005, is requested to respond to the Notice to File Missing Parts, mailed February 17, 2005, in the above-referenced application. The appropriate fee of \$510.00 is included in the enclosed check.

Please charge any additional fees or credit any overpayments that may be required to our Deposit Account No. 03-1721.

Respectfully submitted,


Monica R. Gerber, M.D., Ph.D.
Reg. No. 46,724

Choate, Hall & Stewart LLP
Exchange Place
53 State Street
Boston, MA 02109
(617) 248-5000

Dated: July 15, 2005

3957574_1.DOC

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<u>7-15-05</u>	<u>Sandra Saccoccia</u>
Date	Signature
<u>Sandra Saccoccia</u>	
Typed or Printed Name of person signing certificate	